

Maine Human Rights Commission

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A Quick Reference Guide About The Maine Human Rights Commission

The Commission – a small, quasi-independent entity with a single program established in 1971 – is charged with attempting to prevent discrimination in employment, access to public accommodations, housing, education, and extension of credit; the Commission also enforces laws prohibiting the use of two offensive place names and ensuring the right to breastfeed). The Commission has the duty of investigating, conciliating, and at times litigating discrimination cases under the Maine Human Rights Act (“MHRA”) and the Maine Whistleblowers’ Protection Act (“WPA”, at 26 M.R.S. §§ 831 - 834-A). This serves the public by having an administrative body evaluate discrimination complaints via preliminary investigation in lieu of them being filed directly in court, providing guidance to entities and individuals on interpretations of the law, and recommending legislation or executive action concerning infringements on human rights in Maine.

- **Agency structure.** Five Governor-appointed Commissioners of diverse political parties serve staggered five year-terms, and appoint a Commission Counsel and an Executive Director to conduct Commission operations. The Executive Director supervises all staff; at present, there are 13.5 positions.
- **Budget.** In 2019-2020, the Commission’s actual budget appropriation was \$1,628,258, with ~80% allocated to fixed personal service costs such as salaries and benefits due to the highly personnel-intensive nature of the agency work in investigating, resolving, and litigating complaints. Just over 20% of the Commission’s budget was allocated to “all other” operating expenditures to support program activities. Approximately 34% of the total Commission budget was revenues from federal worksharing agreements with the U.S. Equal Employment Opportunity Commission and the U.S. Department of Housing & Urban Development.
- **Case filings:** In FY2019,* the agency received 1170 intakes and 715 new complaints. Of new complaints filed, 66.8% related to employment, 16.8% related to public accommodations, 13.9% related to housing, 2.2% related to education, and .3% related to extension of credit. In new cases, the most frequently-alleged bases were disability (47.3%), MHRA retaliation (38.7%), WPA retaliation (34.4%), and sex (24.3%, with sexual harassment claimed in 35.6% of all sex discrimination filings).
- **Case resolutions:** Each year, about 2/3 of cases resolve before investigation is completed, either by administrative dismissal (timeliness, lack of jurisdiction, failure to cooperate, etc.), voluntary resolution by parties, or complainant requesting a right-to-sue letter to opt out of the agency process and proceed to court. Investigators completed investigations and issued reports in 37% of cases processed in FY2019.
- **Findings:** In FY2019, Commissioners found “reasonable grounds” (“RG”) to believe unlawful discrimination occurred 6.2% of all cases processed. A more useful statistic is that Commissioners found RG in 16.8% of cases with investigator’s reports. Two-thirds of investigator’s reports were not contested.
- **Pending inventory:** At FY2019’s end, 677 cases remained pending.
- **Outreach delivered:** Commission staff delivered/participated ~53 training forums during FY2019.
- **Litigation:** In FY2020, the Commission filed seven new MHRA enforcement actions in court, settled three MHRA lawsuits, filed one amicus brief in a Maine Law Court matter, and actively defended another lawsuit.

*Updated statistics for FY2020 are forthcoming but delayed due to database technical issues out of the Commission’s control. The FY2019 statistics are fairly typical, as may be seen at www.maine.gov/mhrc/about/annual-reports.